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# 2003-04 Legislative Summary

Assembly Committee on Local Government

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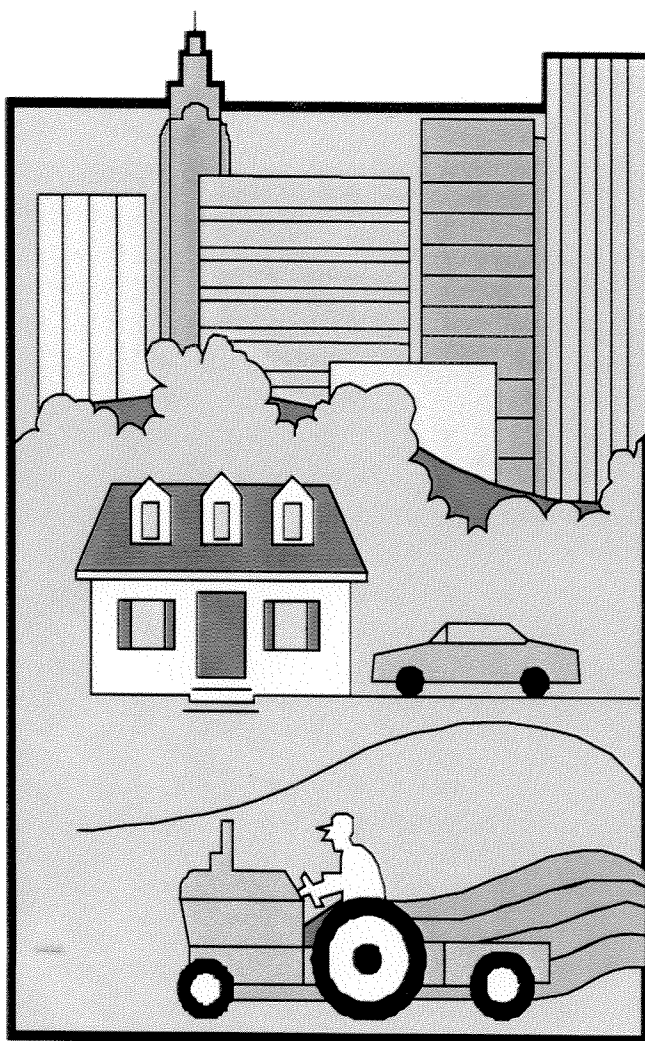
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# 2003-04 LEGISLATIVE SUMMARY

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October 28, 2004

**TO ALL INTERESTED PARTIES:**

The Assembly Committees on Local Government and Housing and Community Development share jurisdiction on legislation dealing with the housing element of general plans. This session saw another spate of bills on the subject, such as SB 744 (Dunn) and AB 2702 (Steinberg), which were supported by housing advocates but opposed by many local governments. Other measures, such as AB 2980 (Salinas) and AB 1158 (Lowenthal) attempted to streamline the process by which local governments obtain certification of their housing elements from the Department of Housing and Community Development; however, these bills had local government support but were opposed by housing advocates. The 2003-04 legislative session ended with two bills, AB 2158 (Lowenthal) and AB 2348 (Mullin), that incorporated the consensus results of the Housing Element Work Group being enacted. However, many issues of controversy in this area remain outstanding and will no doubt be the subject of legislation in the 2005-06 legislative session.

Other issues before the Assembly Committee on Local Government (Committee) that were the subject of significant debate included, but were not limited to, allowing local governments to assess local income taxes [AB 1690 (Leno)]; electronic recordation of legal documents such as deeds and titles [AB 578 (Leno)]; adopting as state law the substantive provisions of the federal Religious Land Use and Institutionalized Persons Act [AB 600 (Maddox)]; and requiring big-box retail stores to prepare an economic impact report prior to obtaining a building permit from a local government [SB 1056 (Alarcon)].

The following report summarizes legislation referred to the Committee during the 2003-04 legislative session, and indicates the final status. The report is divided into five categories: land use and housing, local government finance, local powers and duties, open meetings and conflict of interest, and special districts. Bills marked with an asterisk (\*) were subsequently amended and utilized as vehicles for other bill proposals, some of which stayed within the Committee's jurisdiction.

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October 28, 2004

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## LAND USE AND HOUSING

### **AB 35 (Wiggins)      Local planning agencies: duties.**

Would have corrected drafting errors in previous legislation pertaining to annual reports from local planning agencies. **Status:** *In Senate: Held at Desk.*

### **AB 51 (Simitian)      General plans: child care facilities.**

Would have required cities and counties to identify categories of land use, if any, that provide for child care facilities, not including family day care homes no later than one year after the next regularly scheduled revision of the land use element of their general plans that occurs after January 1, 2004.

**Status:** *Vetoed*

### **AB 77 (La Suer)      San Diego County Regional Airport Authority.**

Would have prohibited existing aerial fire fighting locations in the San Diego Region from being displaced or interfered with in any way by the siting of an international airport.

**Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

### **AB 170 (Reyes)      Air quality element: San Joaquin Valley.**

Requires cities and counties within the jurisdiction of the San Joaquin Valley Air Pollution Control District to amend existing elements of their general plans to include goals, policies, and strategies for improving air quality.

**Status:** *Chapter 472, Statutes of 2003*

### **AB 192 (Harman)      Local agency formation: annexations.**

Would have clarified that a city may annex up to 300 acres of noncontiguous land as part of a single proposal, upon approval of a local agency formation commission (LAFCO).

**Status:** *From Assembly Committee on Local Government without further action pursuant to Joint Rule 62(a).*

### **AB 208 (Harman)      Local agency formation commission.**

Would have provided that in the case of a change of organization or reorganization that includes the dissolution of a local agency, a successor agency may not be prevented from continuing to perform any or all functions of the extinguished local agency, regardless of



whether the successor agency had previously performed that function. **Status:** *From Assembly Committee on Local Government without further action pursuant to Joint Rule 62(a).*

**AB 218 (Simitian) Local planning: housing elements.**

Would have defined "senior housing unit" to include congregate housing, and required the Department of Housing and Community Development (HCD) to apply this definition in its determination of whether a city or county meets its share of the regional housing need.

**Status:** **Vetoed**

**AB 305 (Mullin) Density bonuses: child care facilities.**

Requires a city or county to grant an additional density bonus, concession, or incentive to a developer of housing, otherwise entitled to a density bonus or other incentive if that developer includes a child care facility as part of the housing development, unless the city or county makes a finding that the existing area has adequate child care facilities.

**Status:** **Chapter 430, Statutes of 2003**

**AB 332 (Mullin) Airports: land use commissions.**

Requires a local agency that overrides a decision made by an airport land use commission (commission) to provide notice of its proposed decision to the commission and Caltrans and to include in its published decision responses by the commission and Caltrans.

**Status:** **Chapter 351, Statutes of 2003**

**AB 361 (Kehoe) San Diego Consolidated Transportation Agency.**

Establishes a collaborative public planning process by which the San Diego Consolidated Transportation Agency would move forward on issues involving comprehensive planning in the San Diego region.

**Status:** **Chapter 508, Statutes of 2003**

**AB 470 (Bermudez) Conditional use permit: religious facility.**

Would have prohibited a city or county on land that is zoned to permit religious use, from requiring, in addition to a conditional use permit, an applicant for this permit who intends to use the property for religious services, worship, or other religious activities to prepare and submit planning documents or any other documents that are not directly related to the proposed use or occupancy of the property. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 494 (Garcia) Redevelopment.**

Would have prohibited the transfer of local redevelopment housing funds if the local housing element is not certified by HCD. **Status:** *Referred to Assembly Committees on Housing and Community Development and Local Government. From Committee on Housing and Community Development: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 518 (Salinas)      Local agency formation commission.**

Requires a LAFCO to assess the impact that a local agency annexation has on a city or cities and the county in achieving their respective fair shares of regional housing needs, and extends the sunset date for Broadmoor Police Protection District's special detachment provisions.

**Status:** Chapter 176, Statutes of 2003

**AB 520 (Salinas)      Local agency reorganization: Santa Cruz County.**

Provides that, in the case of an annexation proposed by the City of Watsonville in Santa Cruz County, the effective date of the change of organization shall be fixed in the terms and conditions of the LAFCO resolution confirming the annexation, enabling the city to implement a series of phased annexations over a 20-year period..

**Status:** Chapter 36, Statutes of 2003

**AB 600 (Maddox)      Government regulation: religious exercise.**

Would have prohibited any local, state, or other public agency from imposing or implementing a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, unless the agency demonstrates that the imposition of the burden on that person is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest. The bill would have authorized any person to bring an action to enforce those rights, as specified. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 607 (Plescia)      Landscape water conservation.**

Would have permitted a city or county to exempt itself from the provisions of the Water Conservation and Landscaping Act if it is located wholly within the boundaries of one or more water districts that have adopted a landscape water conservation rate structure that complies with specified requirements. **Status:** *From Assembly Committee on Appropriations: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 668 (Cox)      General plans: housing elements.**

Allows a city and county, in the event of an incorporation, to reach a mutually acceptable revision of their respective regional housing need allocations.

**Status:** Chapter 760, Statutes of 2003

**AB 723 (Matthews)      Jobs-housing opportunity zones.**

Would have authorized cities and counties to create infrastructure financing districts (IFDs) in designated jobs-housing opportunity zones to finance public facilities in the five-county Interregional Partnership area of Northern California. **Status:** *In Senate: To inactive file on motion of Senator Ortiz*

**AB 728 (Leno)      Real estate: subdivisions.**

Allows developers to make binding pre-sale contracts with potential buyers of condominiums earlier in the construction process, and retain enough of the buyer's deposit to cover actual

damages suffered when a buyer of a pre-sold unit defaults on the contract by establishing an exception to the existing "liquidated damages" statute for contracts for the sale of residential property.

**Status: Chapter 434, Statutes of 2003**

**AB 768 (Leno)      Hunters Point Shipyard Public Trust Exchange Act.**

Authorizes the exchange of public trust lands within the Hunters Point Shipyard in order to free some lands from the public trust and make others subject to it, based on specified criteria.

**Status: Chapter 435, Statutes of 2003**

**AB 838 (Spitzer)      Preincorporation regulations: City of Rancho Santa Margarita.**

Would have declared that upon its incorporation, the City of Rancho Santa Margarita's general plan policies, zoning regulations, or building and construction requirements supersede any inconsistent property restrictions that regulate design or development standards, requirements, or conditions on the development, use, or occupancy of commercial or industrial property within the City. **Status:** *In Senate Committee on Local Government: set, final hearing: Hearing canceled at the request of author.*

**AB 944 (Matthews)      Agricultural lands: local plans. \***

Would have renamed the "open-space element" of a general plan as the "agricultural and open-space element," made conforming changes to the State Planning and Zoning Law, and authorized each county to add to or amend its agricultural and open-space element to include differing measures for different areas, as specified. **Status:** *In Senate: To inactive file on motion of Senator Machado.*

**AB 944 (Steinberg)      Property and business improvement areas: benefit assessments.**

Allows Property and Business Improvement Districts to use bonds to finance public works and levy assessments on business owners to pay for the bonds.

**Status: Chapter 763, Statutes of 2003**

**AB 953 (Houston)      Subdivision Map Act: subdividers.**

Provides for the waiver of any condition of a tentative map requiring construction or installation of off-site improvements if the city or county has failed to acquire title in the necessary land within 120 days.

**Status: Chapter 728, Statutes of 2003**

**AB 955 (Wiggins)      General plans. \***

Would have made minor, clarifying changes to the statutory requirement that a local planning agency refer a proposal to adopt or substantially amend a general plan to any elementary, high school, or unified school district within the potentially affected area.

**Status:** *In Senate Committee on Local Government: Amend and re-referred to Rules.*

**AB 980 (Salinas)      Housing element: self-certification.**

Would have created an alternative production-based certification process for the housing elements of cities and counties. **Status:** *Referred to Assembly Committees on Local Government and Housing and Community Development. From Committee on Housing and Community Development: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 994 (Cox)      Housing: prison beds.**

Would have required a council of governments to take into account the amount of land within a city or county owned by the state or federal government and unable to be rezoned by the city or county when it distributes regional housing needs. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1015 (Laird)      Land use: water supply.**

Would have required that the land use element of a general plan include a statement of existing and planned sources of water supply incorporating specified relevant information. **Status:** *Died on Inactive file.*

**AB 1019 (Nakanishi)      Parks: property conversion and exchange.**

Transfers specified land within the Oak Grove Park in San Joaquin County to the City of Stockton and provides for the acquisition of substitute land. **Status:** **Chapter 114, Statutes of 2003**

**AB 1089 (Dutton)      Local planning: housing elements. \***

Would have required, when evaluating whether a housing element is consistent with state law, to count student dormitories that are identified within the housing element of a city or county for purposes of determining whether the city or county meets its share of the regional housing needs. **Status:** *Referred to Assembly Committees on Local Government and Housing and Community Development. Amend, and re-referred to Local Government. Re-referred to Committee on Housing and Community Development by unanimous consent.*

**AB 1112 (Lowenthal)      Housing opportunity districts.**

Would have allowed local governments to apply to HCD for the creation of a tax increment district around a transit station to fund the development of housing. **Status:** *From Assembly Committee on Appropriations: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1117 (Matthews)      Grazing lands: payments.**

Requires the State Controller to pay federal grazing fee revenues to counties under the same formula that the federal government uses to collect the fees. **Status:** **Chapter 131, Statutes of 2003**

**AB 1158 (Lowenthal)      General plans: housing elements.**

Would have reformed the Regional Housing Needs Assessment procedure.

**Status:** *Referred to Assembly Committees on Local Government and Housing and Community Development. From Committee on Housing and Community Development: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1160 (Steinberg)      Housing: second units.**

Would have restricted local governments' ability to deny or place restrictions on the development of second unit housing. **Status:** *Referred to Assembly Committees on Local Government and Housing and Community Development. From Committee on Housing and Community Development Committee: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1187 (Leno)      Redevelopment: Hunters Point Shipyard. \***

Would have created the Hunters Point Shipyard Development Authority.

**Status:** *In Assembly: To inactive file on motion of Assembly Member Leno.*

**AB 1188 (Cohn)      Park and open-space districts.**

Would have clarified park and open space district laws relating to land conveyances under threat of condemnation, and police officers' powers. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1192 (Dutra)      Land use.**

Requires that a local government is solely responsible for compliance with the existing requirement to identify adequate sites to ensure no net loss in residential unit capacity subsequent to a downzoning except when a project applicant makes specified requests in an initial application.

**Status:** **Chapter 10, Statutes of 2004**

**AB 1195 (Cohn)      Subdivision Map Act: exemptions. \***

Would have excluded conveyances to and from regional park and open space districts from certain requirements of the planning and zoning law. **Status:** *In Senate Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 1195 (Cohn)      Midpeninsula Regional Open Space District: annexation project: eminent domain.** Prohibits the Midpeninsula Regional Open Space District (MROSD) from using the power of eminent domain to acquire any real property in the San Mateo County Coastal Annexation Area.

**Status:** **Chapter 27, Statutes of 2004**

**AB 1222 (Montanez) Parks and recreation: Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act: Los Angeles County: parkland exchange.**

Authorizes the County of Los Angeles to convert specified parkland for non-park purposes and provides for the transfer of substitute parkland.

**Status: Chapter 499, Statutes of 2004**

**AB 1268 (Wiggins) Land use.**

States legislative intent to address the issues of growth zones and housing.

**Status: Chapter 179, Statutes of 2004**

**AB 1309 (Goldberg) School facilities: displaced residential development.**

Authorizes a city or county to acquire real property for construction of new school site replacement housing, if the acquisition of a school site by a school district results in a loss of housing, and if the local governing agency has determined that an extreme shortage of affordable housing, as defined, exists in the vicinity of the school site. Requires the adoption of a replacement housing plan, and for that plan to provide for the development of at least: 1) the number of housing units already on the property acquired for replacement housing; and, 2) 75% of the dwelling units demolished in connection with the new school site construction. Requires that a specified number of the dwelling units developed be available at an affordable cost.

**Status: Chapter 574, Statutes of 2003**

**AB 1320 (Dutra) Transit village plan: design.**

Requires a transit village plan to include any five public benefits from a list of 13 specified public benefits, and deletes the requirement that a rail transit station be at the core of a transit village development to allow a transit village to be centered around other types of transit stations.

**Status: Chapter 42, Statutes of 2004**

**AB 1347 (Maze) Development agreements.**

Requires cities and counties to follow the accounting and reporting requirements of the Mitigation Fee Act for any fees they receive or costs they recover from development agreements entered into, on, or after January 1, 2004.

**Status: Chapter 288, Statutes of 2003**

**AB 1426 (Steinberg) Affordable housing: greater Sacramento region.**

Would have created a pilot affordable housing production standard program in the greater Sacramento region, including six specified counties, that would have sunsetted on January 1, 2010.

**Status: Vetoed**

**AB 1634 (Keene) Public lands: transfer.**

Authorizes the City of Chico to sell, convey or, exchange land to certain property owners, as specified.

**Status: Chapter 522, Statutes of 2003**

**AB 1903 (Maddox) Discrimination: land use: religion.**

Would have required a local government to make land use actions relative to religious institutions and assemblies, or religious uses of private residences using no less favorable standards than those used for actions affecting nonreligious institutions or assemblies or nonreligious uses of private residences. **Status:** *In Senate Committee on Judiciary: Set, first hearing. Hearing canceled at the request of author.*

**AB 1970 (Harman) Land use: housing element.**

Would have authorized a coastal city to adopt a housing element that makes no provision for new housing or its share of regional housing needs. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 2055 (Wolk) General plan elements.**

Would have renamed the open space element of a general plan as the agricultural and open space element, and amended the Planning and Zoning Law provisions for the conservation and agricultural and open space elements of the general plan in order to encourage the preservation of agricultural land and production and the protection and sustainable use of open space resources.

**Status:** *Vetoed*

**AB 2063 (Negrete McLeod) Resource conservation: Chino Agricultural Preserve.**

Authorizes the County of San Bernardino to sell property it owns within the Chino Agricultural Preserve that was purchased with Proposition 70 bond funds, provided the County meets the conditions required under that act for the sale and meets specified conditions.

**Status:** *Chapter 377, Statutes of 2004*

**AB 2158 (Lowenthal) Housing elements: regional housing need.**

Enacts consensus-based changes proposed for the regional housing needs allocation process by the Housing Element Work Group.

**Status:** *Chapter 696, Statutes of 2004*

**AB 2247 (Salinas) Local planning.**

Would have created an optional process for a city to obtain necessary approvals from a LAFCO for annexations for a period of up to 15 years. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 2264 (Chavez) General plan: housing element. \***

Would have provided that a city within the County of Los Angeles (County) may elect to commit 50% of the tax increment funds to the County and that the County may pledge that amount or any fraction of that amount as security for bonds for the construction of low- and moderate-income housing, as specified. **Status:** *Referred to Assembly Committees on Local*

*Government and Housing and Community Development. Amend and re-referred to Committee on Housing and Community Development by unanimous consent.*

**AB 2272 (Dymally) Native American lands: Tongva Reservation.**

Would have created the "Dymally Act for the Creation of a State Indian Reservation for the Gabrielino-Tongva Tribe". **Status:** *Referred to Assembly Committees on Governmental Organization and Local Government. In Governmental Organization Committee: Set, second hearing. Hearing canceled at the request of author.*

**AB 2306 (Richman) Local agency formation.**

Prohibits, until January 1, 2008, the Ventura County LAFCO from imposing a condition that requires the City of Simi Valley to annex a county island unless the island territory is contiguous and physically related to the affected territory in a Simi Valley annexation proposal.

**Status:** Chapter 805, Statutes of 2004

**AB 2348 (Mullin) Housing element: regional housing need.**

Makes numerous changes to the provisions of housing element law pertaining to land inventory, adequate sites, and permitted use, based on the work of the Housing Element Work Group.

**Status:** Chapter 724, Statutes of 2004

**AB 2423 (Haynes) Government regulation: nonprofit.**

Would have prohibited any local, state, or other public agency from imposing or implementing a land use regulation in a manner that imposes a substantial burden on a nonprofit entity, unless the agency demonstrates that the imposition of the burden on that person is in furtherance of a substantial governmental interest and is the least restrictive means of furthering that substantial governmental interest. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 2515 (Runner) Low-income housing: military base. \***

Would have provided that a city shall be deemed to have satisfied a portion of its share of the regional housing need on the basis of two units of credit for each unit of housing on a decommissioned military base that is converted to low-income housing. **Status:** *From committee chair, with author's amendments. Re-referred to Assembly Committee on Rules by unanimous consent. From Committee on Rules: Be re-referred to Committee on Housing and Community Development.*

**AB 2634 (Canciamilla) Local government organization: Contra Costa County.**

Would have prohibited the Contra Costa LAFCO from making any determination or approving any change of organization or reorganization that is inconsistent with the urban limit lines approved by the voters in that county or amended by the affected agencies as approved by the voters. **Status:** *In Senate Committee on Local Government: Held under submission.*



**AB 2702 (Steinberg) Housing: second units.**

Would have restricted local governments' ability to deny or place restrictions on the development of second unit housing.

**Status:** *Vetoed*

**AB 2717 (Laird) California Urban Water Conservation Council: stakeholders.**

Declares the Legislature's intent that the Urban Water Conservation Council convene a stakeholders' workgroup to develop proposals for improving the efficiency of water use in new and existing urban irrigated landscapes.

**Status:** *Chapter 682, Statutes of 2004*

**AB 2779 (Maze) Local agency.**

Revises the conditions by which a LAFCO is authorized to approve an annexation of unincorporated island territory to a city without an election or protest hearing by changing the maximum area of the island territory from 75 to 80 acres. **Status:** *Referred to Assembly Committee on Local Government.*

**AB 2808 (Canciamilla) State Comprehensive Plan.**

Would have required that the State Environmental Goals and Policy Report include an overview of state environmental goals and objectives directed to, among other matters, agricultural land preservation, and a description of policies, programs, and other actions required to implement those goals. **Status:** *In Assembly Committee on Appropriations: Set, second hearing. Held under submission.*

**AB 2980 (Salinas) Housing element: self-certification.**

Would have created an alternative production-based certification process for the housing elements of cities and counties. **Status:** *In Assembly Committee on Appropriations: Hearing postponed by committee.*

**AB 3065 (Kehoe) General plan: safety element.**

Revises and recodifies the general plan safety element requirements for state responsibility areas and very high fire hazard severity zones.

**Status:** *Chapter 951, Statutes of 2004*

**AB 3077 (Committee on Local Government) Local government reorganization.**

Makes several minor and non-controversial changes to the laws affecting LAFCOs.

**Status:** *Chapter 355, Statutes of 2004*

**AJR 59 (Maze) Military base closures in California.**

Would have resolved that the state, through the Legislature, the Governor, and the California Congressional delegation, request the President and Congress of the United States to support the continued operation and maintenance of all the military bases currently in operation in California. **Status:** *Referred to Assembly Committee on Local Government.*

**AJR 84 (Parra) Military base closures.**

Would have memorialized the President and Congress of the United States to delay base realignment and closure activities in 2005, as specified, and to support House Resolution 4023 and House Resolution 4200, the Fiscal Year 2005 Defense Authorization Bill.

**Status:** *Referred to Assembly Committee on Local Government.*

**SB 18 (Burton) Traditional tribal cultural places.**

Requires a city or county, prior to the adoption or amendment of a general plan, to conduct consultations with California Native American tribes for the purpose of preserving places, features, and objects protected by specified provisions of the Public Resources Code that are within the city's or county's jurisdiction, and requires the city or county to maintain the

confidentiality of information concerning the specific identity, location, character, and use of those places, features, and objects consistent with guidelines developed and adopted by the Governor's Office of Planning and Research.

**Status:** Chapter 905, Statutes of 2004

**SB 114 (Torlakson) Financial assistance: relocation of vehicle dealers and big box retailers.**

Eliminates the authority of a redevelopment agency or local agency to provide any form of financial assistance to a vehicle dealer or big box retailer that is relocating from one community to another community within the same market area, and abolishes the requirement that the California Research Bureau report by January 1, 2004, on the implementation of an existing related statute.

**Status:** Chapter 781, Statutes of 2003

**SB 446 (Machado) General plans. \***

Require the Governor's Office of Planning and Research to notify the Attorney General of general plans that have not been revised in eight years instead of 10 years.

**Status:** *Referred to Assembly Committee on Local Government; from committee with author's amendments. Read second time. Amended. Re-referred to committee.*

**SB 491 (Ducheny) Local government: housing elements.**

Extends the statutory deadline, by one year, for all cities and counties to complete the fourth revision of their housing element.

**Status:** Chapter 58, Statutes of 2003

**SB 492 (Ducheny) Housing: funds.**

Extends the inoperative date, for the pilot program allowing communities in San Diego County to self-certify their housing elements, by one year, to June 30, 2010.

**Status:** Chapter 387, Statutes of 2004

**SB 558 (Ducheny) Local residential zoning: vacant land.**

Would have required the land use element of city or county general plans to include by reference any existing inventory of current and planned infrastructure capacity relevant to the territory covered by the plan.

**Status:** *Hearing postponed by Assembly Committee on Appropriations.*

**SB 654 (Committee on Agriculture and Water Resources) Water Omnibus Act of 2003. \***

Would have made several minor changes to the Water Code.

**Status:** *In Assembly: Read third time. Amended. Re-referred to Committee on Water, Parks and Wildlife pursuant to Assembly Rule 77.2.*

**SB 699 (Sher) Local planning agencies: duties.**

Waives the Planning and Zoning Law's referral requirement if local planners have already complied with CEQA's referral requirement. In so doing, this bill restores language that previously appeared in the Planning and Zoning Law.

**Status:** **Chapter 916, Statutes of 2004**

**SB 707 (Florez) Environmental quality: large dairy cow farms. \***

Would have placed restrictions on the construction or expansion of large dairy cow farms (defined as a commercial operation where more than 700 cows are lactating) near populated areas with the intent of reducing human exposure to environmental impacts, including exposure to particulate matter (PM) emissions. **Status:** *In Assembly: Notice of motion to remove from inactive file given by Assembly member Frommer.*

**SB 744 (Dunn) Planning: housing.**

Would have established a state Housing Accountability Committee, a new state administrative body, and allows developers to appeal local land use decisions that result in denial of a project or conditions that render the project financially infeasible, thereby superseding local authority over land use decisions. **Status:** *In Assembly Committee on Local Government: hearing postponed by committee.*

**SB 745 (Ashburn) Environmental subdivision.**

Makes the environmental subdivision provisions of the Subdivision Map Act permanent, and makes specified provisions for parcels of less than 20 acres.

**Status:** **Chapter 76, Statutes of 2003**

**SB 806 (Sher) General plans: transportation element.**

Would have renamed the circulation element in local general plans the transportation element and makes other technical and conforming changes.

**Status:** *In Senate: placed on inactive file on request of Senator Sher.*

**SB 898 (Burton) Schoolsite replacement housing.**

Permits a community college district, or an eligible nonprofit corporation, as defined, to replace existing dwelling units displaced by school construction.

**Status:** **Chapter 495, Statutes of 2004**

**SB 898 (Burton)      Open space and agricultural land. \***

Would have made legislative findings and declarations concerning the importance of enacting legislation that provides long-term protection for and preservation of California's agricultural lands. **Status:** *Referred to Assembly Committee on Local Government.*

**SB 926 (Knight)      Economic development.**

Consolidates all military base retention and conversion programs under a single office within state government, directs the office to seek grants and private donations to fund the retention campaign, encourages effected local governments to work together in their efforts to retain military installations in California, and allows local governments, in partnership with a local military base, to request funding from the California Infrastructure Bank for projects that enhance or improve the mission of the base.

**Status:** **Chapter 907, Statutes of 2004**

**SB 1037 (Sher)      Subdivisions.**

Changes the area for which an adjoining city or county can request notice of a proposed subdivision from three miles from the agency's exterior boundary to anywhere within the city or county's planning area, and authorizes local subdivision ordinances to provide for cable television systems and for communications services to each parcel in all subdivisions.

**Status:** **Chapter 479, Statutes of 2004**

**SB 1056 (Alarcon)      Development projects: superstore retailers.**

Would have required a city, county, or city and county to prepare an economic impact report prior to approving or disapproving a proposed development project that would permit the construction of a superstore retailer, as defined.

**Status:** **Vetoed**

**SB 1266 (Torlakson) Annexation.**

Increases the maximum size of unincorporated island annexations that are subject to an expedited approval process by a LAFCO From 75 acres to 150 acres.

**Status:** **Chapter 96, Statutes of 2004**

**SB 1435 (Perata)      Oakland Army Base Public Trust Exchange Act.**

Would have granted the state's sovereign interest in certain trust lands within the former Oakland Army Base (OAB), and in other lands comprising the Oakland Army Base redevelopment property, to the Oakland Base Reuse Authority (OBRA).

**Status:** **Vetoed**

**SB 1462 (Kuehl)      Military readiness activities: special use air space.**

Requires cities and counties to forward to branches of the United States Armed Forces copies of significant proposed amendments to their general plans in instances where the proposed action lies within military special use airspace or low-level flight paths. The bill further

authorizes any branch of the United States Armed Forces to request consultation with a public agency or project applicant to discuss the potential adverse effects of a proposed project on military installations, low-level flight paths, or special use airspace.

**Status:** Chapter 906, Statutes of 2004

**SB 1592 (Torlakson) Local planning.**

Would have required each city and each county to adopt or amend an infill ordinance or a specific plan for infill development that identifies potential infill sites and specifies appropriate zoning to encourage infill development on vacant and underutilized parcels, and required the ordinance or specific plan to provide at least five incentives for infill housing, as specified, as well as an affordable housing strategy. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**SB 1609 (Dunn) Housing development project: local agencies.**

Would have closed loopholes in, and increases usefulness of, the Anti-NIMBY Law.

**Status:** *In Assembly Committee on Local Government: Set, first hearing. Failed passage in committee. Reconsideration granted.*

**SB 1622 (Perata) Oak Street to 9<sup>th</sup> Avenue District Exchange Act.**

Authorizes the Port of Oakland and the State Lands Commission to exchange certain tidelands and submerged lands granted to the City of Oakland for other lands not now subject to the public trust.

**Status:** Chapter 542, Statutes of 2004

**SB 1818 (Hollingsworth) Density bonuses.**

Makes various changes in the law relating to the provision of affordable housing and density bonuses.

**Status:** Chapter 928, Statutes of 2004

**SB 1820 (Machado) Land conservation contracts.**

Creates a procedure for formally reviewing the county assessor's determination of the current unrestricted fair market value, and thereby affecting the calculation of the amount of the cancellation fee, of land subject to a Williamson Act contract that is proposed for cancellation.

**Status:** Chapter 794, Statutes of 2004

**SJR 23 (Ashburn) Military base closures.**

Resolves that the state, through the Legislature, the Governor, and the California Congressional delegation, request that the President and Congress of the United States include "intellectual capital" and "total mission support" to the list of essential 2005 Base Realignment and Closure Act evaluation criteria.

**Status:** Res. Chapter 7, Statutes of 2004

## **LOCAL GOVERNMENT FINANCE**

**AB 5 (Cogdill)      Local government finance: property tax apportionment.**

Would have partially forgiven the Counties of Madera and Tuolumne from the obligation to repay the state General Fund for past underallocations to the ERAF in each county.

**Status:** *From Assembly Committee on Appropriations: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 53 (Simitian)      Property tax revenue shifts: limitation.**

Would have capped the property tax shifts from cities, counties, and special districts to the ERAF in each county over a multi-year period. **Status:** *From Assembly Committee on Appropriations: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 127 (La Malfa)      Property tax revenue allocations: County of Colusa.**

Would have forgiven the County of Colusa from the obligation to repay the state General Fund for past underallocations to ERAF. **Status:** *From Assembly Committee on Appropriations: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 172 (Nakanishi)      Law enforcement funding.**

Authorizes boards of supervisors to hold a public hearing in order to consider and determine submitted requests for frontline law enforcement funding either at a time the board determines, or within 30 days of a request for a hearing by a recipient agency if the county has received the funds from the state.

**Status:** Chapter 377, Statutes of 2003

**AB 357 (Maze)      Property taxation: exemption: possessory interests. \***

Would have increased the limit for property tax exemption relating to a possessory interest from \$50,000 to \$100,000 for a qualified county, as defined. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author. Amend, and re-refer to Health Committee.*

**AB 427 (Longville)      Local transportation sales taxes**

Deletes the 20-year limitation on the duration of a local transportation sales tax and provides that any such tax remain in effect for the period of time specified in the tax ordinance.

**Status:** Chapter 129, Statutes of 2003

**AB 434 (Hancock)      Finances: City of Richmond.**

Authorizes the City of Richmond to attach a statutory lien and intercept mechanism to its tax and revenue anticipation notes.

**Status:** Chapter 147, Statutes of 2004

**AB 533 (Cohn)      State mandates**

Would have authorized the Controller to conduct a field review of any claim after the claim has been submitted, prior to the reimbursement of the claim, and require the commission to amend the parameters and guidelines for the animal adoption mandate, as specified.

**Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.*

**AB 574 (Yee)      Vehicles: registration: local charge.**

Would have authorized the City and County of San Francisco to require by ordinance or resolution a fee to be paid at the time of registration or renewal of every vehicle registered to an address within San Francisco. Required that revenues from the fee be expended only to fund programs for the construction, improvement, and maintenance of streets and highways in San Francisco. **Status:** *In Senate Committee on Appropriations: hearing postponed by committee.*

**AB 613 (Campbell)      State-mandated local programs: funding.**

Would have provided that, if a local agency or school district has failed over a period of at least two years to receive full funding from the state to implement or give effect to a statute or executive order that has been determined by the Legislature, the Commission on State Mandates, or any court to constitute a new state-mandated program requiring reimbursement pursuant to Section 6 of Article XIII B of the California Constitution, the mandate is

inapplicable to that jurisdiction if its governing body has decided by majority vote not to implement or give effect to the statute or executive order. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 619 (Garcia)      Booking fees.**

Would have appropriated annually from the General Fund to the Controller the sum of up to \$38,220,000 for reimbursement to cities and qualified special districts for actual costs incurred in the payment of booking and processing fees. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 637 (Harman)      State-mandated local programs.**

Would have made changes to the appointment powers and duties of the Commission on State Mandates, revised time periods in which specified actions must occur, and amended the procedure for removing a mandated program from the State Mandates Apportionment System (SMAS). **Status:** *From Assembly Committee on Appropriations: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 646 (Mullin)      Local agencies: revenue sharing.**

Would have required that cities and counties that adopt regional tax revenue-sharing agreements, including, but not limited to, contracts that apportion sales tax generated by automobile dealerships or big box retailers, be given priority eligibility by all state agencies in

the awarding of competitive state infrastructure funds. **Status:** *From Assembly Committee on Local Government without further action pursuant to Joint Rule 62 (a).*

**AB 723 (Matthews) Jobs-housing opportunities districts.**

Would have authorized cities and counties to create infrastructure financing districts in designated jobs-housing opportunity zones to finance public facilities in the five-county Interregional Partnership area of Northern California. **Status:** *In Senate Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 867 (Nakano) Controller: penalties.**

Authorizes the State Controller to waive penalties for late filing of specified financial reports by county auditors and financial officers of local agencies upon a satisfactory showing of good cause.

**Status:** Chapter 86, Statutes of 2003

**AB 893 (Mountjoy) Local government: licenses.**

Would have extended to every member of the armed services who is on active duty an exemption from paying a business license tax or fee. **Status:** *From Assembly Committee on Appropriations: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 969 (Correa) Local agency financing: validation proceedings.**

Authorizes local agencies to file a single lawsuit to determine the validity of bonds and other debts, and codifies current local investment practices as they relate to joint powers authorities.

**Status:** Chapter 470, Statutes of 2004

**AB 1051 (Goldberg) Capital facilities fees.**

Would have authorized a public agency utility to charge public agency customer's rates or charges on the same basis as comparable nonpublic users, except for "capital facilities fees," which a public agency utility must negotiate with schools, public higher education, and state agencies.

**Status:** Vetoed

**AB 1075 (Matthews) Local law enforcement expenses.**

Would have provided for 100% reimbursement to Stanislaus County for the costs incurred for the homicide prosecution of Scott Peterson; and authorized, until July 1, 2006, specified cities and counties to apply to the Controller for reimbursement of specified costs related to the investigation and apprehension of a person suspected of the murder of a peace officer.

**Status:** Vetoed

**AB 1113 (Garcia) Supplemental Firefighting Services Fund.**

Would have increased the fines, penalties, and forfeitures imposed and collected by the courts for criminal offenses, except parking offenses, and required these additional funds to be



allocated to local agencies in accordance with specified requirements for specified front line fire service activities. These provisions would have become inoperative on July 1, 2005, and repealed on January 1, 2006. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1182 (Ridley-Thomas) Government financing.**

Updates and streamlines various government financing provisions.

**Status:** Chapter 7, Statutes of 2004

**AB 1199 (Berg) County of Del Norte. \***

Would have provided that the annual loan payment of \$119,000 from the County of Del Norte to the state is postponed for one year if the local sales tax revenues derived by the county in any quarter pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law is less than the amount received for the corresponding quarter of the previous year. **Status:** *In Senate Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 1221 (Steinberg) Taxation.**

Would have exchanged a portion of a city's or county's locally levied sales tax revenue for an equivalent amount of property tax revenue from the state, and made related changes to sales and property tax rates and allocations. **Status:** *In Assembly: Died on inactive file.*

**AB 1222 (Montanez) Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act. \*** Would have eliminated the local matching money requirement for Roberti-Z'berg-Harris Urban Open Space and Recreation Program Act grants to local governments from funds made available pursuant to the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002. **Status:** *In Senate Committee on Appropriations: Set, first hearing. Held under submission.*

**AB 1235 (Daucher) Local government finance: property tax revenue allocation: dissolved redevelopment agencies.** Would have established a procedure for reallocating the ad valorem property tax revenues from a dissolved redevelopment agency, beginning in the 2004-05 fiscal year. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1378 (Horton) Property taxation: revenue allocation reductions: condemnations.**

Would have required any reduction in property tax revenue resulting from the condemnation of state-assessed property to be applied exclusively to the local entity that condemned the property. Required a county auditor to exclusively apply any reduction in assessed value that is assigned to a countywide tax area resulting from the condemnation of state-assessed property to the local public entity that condemned the property on or after July 1, 2004.

**Status:** *From Assembly Committee on Appropriations: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1546 (Simitian) Local governments: vehicle fee for congestion and stormwater management programs.** Would have authorized the City and County Association of Governments of San Mateo County to assess an annual fee of up to \$4 on vehicles registered within San Mateo County for programs to manage traffic congestion and storm water pollution.

**Status:** Chapter 931, Statutes of 2004

**AB 1568 (Correa) Property tax revenue shifts: local fiscal relief.**

Would have established a 15.5% floor for property tax allocations to county governments by transferring property tax revenues from ERAF in each county that receives less than this minimum to county government in equal increments over five years. **Status:** *From Assembly Committee on Appropriations: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1602 (Bates) Local government finance.**

Would have allowed a qualified county, as defined, in a qualified fiscal year, as defined, to apply to the Governor to request that local agencies in that county be permitted to negotiate the allocation of that portion of the annual tax increment that exceeds 2% of total property tax revenues allocated in the county; and specified that an amount of property tax revenue equal to 50% of the total amount of property tax revenue collected in that qualified fiscal year, be allocated among school entities in the qualified county, with the balance of revenues being allocated among local agencies in the qualified county. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.*

**AB 1612 (Kehoe) Public safety funds. \***

Would have required the County of San Diego to earmark \$4.5 million annually from the county Public Safety Augmentation Fund for a regional fire-based helicopter and for reimbursement of emergency fire dispatches. **Status:** *Amend, and re-refer to Assembly Committee on Governmental Organization. From Committee on Governmental Organization: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1690 (Leno) Public safety finance agencies.**

Would have authorized any county or city and county that forms a public safety finance agency to levy a local general income tax and shift a specified portion of annual property tax allocation income to the public safety finance agency. **Status:** *In Senate Committee on Appropriations: hearing postponed by committee.*

**AB 1916 (Maddox) Occupancy taxes: exemptions and delinquencies.**

Provides for the issuance of transient occupancy tax (TOT) exemption forms and occupancy tax clearance certificates, and establishes a three-year statute of limitations for the collection of past due occupancy taxes.

**Status:** Chapter 936, Statutes of 2004

**AB 1989 (Mullin) Homicide trial costs.**

Would have authorized a county to be reimbursed for 100% of its costs associated with a homicide trial if the trial is moved to a location more than 60 miles away from the county seat of that county. **Status:** *In Assembly Committee on Appropriations: Set, second hearing. Held under submission.*

**AB 2009 (Pacheco) State mandates: claims.**

Would have allowed the Controller to decrease or waive the deduction for late filing of a reimbursement claim by a local agency or school district if the Controller determines that the delay was the result of a cause beyond the filer's control, including, but not limited to, reduced or deferred funding from the state, delays in providing necessary information by a state agency, or other extraordinary difficulties. **Status:** *In Assembly Committee on Appropriations: Set, second hearing. Held under submission.*

**AB 2224 (Cohn) State mandates: reimbursement.**

Creates statutory authority for the Controller to implement recommendations of the Bureau of State Audits concerning state mandate.

**Status:** Chapter 313, Statutes of 2004

**AB 2329 (Corbett) Prisoners: local costs.**

Would have revised the reimbursement amounts for housing state prisoners in city or county detention facilities by specifying that these costs shall not exceed 95% of the state per diem costs associated with housing similar types of inmates. **Status:** *In Assembly Committee on Appropriations: Set, second hearing. Held under submission.*

**AB 2366 (Dutra) Registration fees: additional: pollution control. \***

Would have authorized the Bay Area Air Quality Management District (BAAQMD) to impose an additional \$1 vehicle registration fee surcharge. **Status:** *In Senate Committee on Appropriations: Set, first hearing. Held under submission.*

**AB 2558 (Plescia) Property tax revenue allocations: state-assessed property.**

Extends an exception to the unitary property tax allocation formula to allow the City of Escondido to permanently receive the city portion of the property tax revenues from a proposed power plant.

**Status:** Chapter 640, Statutes of 2004

**AB 2641 (Cox) Prisoners: local cost reimbursements.**

Would have required the California State Controller to pay interest upon reimbursement claims filed by cities and counties for costs incurred in connection with state prisons and prisoners, if the payment is made more than 60 days after receipt of a reimbursement claim. **Status:** *In Assembly Committee on Appropriations: Set, second hearing: Held under submission.*

**AB 2707 (Cogdill) State regulatory fees: counties: notification.**

Would have required state agencies, when imposing new regulatory fees or increasing existing regulatory fees on counties, to notify the affected counties no later than June 30 of the calendar

year in which the fees are imposed. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 2783 (Simitian) Recording fees: Elder and Dependent Adult Financial Abuse Prevention Trust Fund.** Would have authorized, upon adoption of a resolution, a county board of supervisors to impose a fee of up to \$2 to be paid at the time of recording of every real estate instrument. This additional fee would have been placed in the Elder and Dependent Adult Financial Abuse Prevention Trust Fund to be expended to fund programs to deter, investigate, and prosecute civil proceedings involving the financial abuse of elders and dependent adults in real estate transactions.

**Status:** **Vetoed**

**AB 2851 (Laird) Budget Act: state mandates**

Suspends operation of the mandate that requires school districts to submit investment reports if funding is not appropriated; requires the Commission on State Mandates to review certain mandates to determine if they are reimbursable; and identifies certain mandates that have been repealed.

**Status:** **Chapter 316, Statutes of 2004**

**AB 2853 (Laird) Local government expenses: state mandates**

Amends several codes relating to local governments to conform to the current practice of eliminating specific local mandates by not appropriating funds in the Budget Act

**Status:** **Chapter 889, Statutes of 2004**

**AB 2856 (Laird) State mandates: Commission on State Mandates**

Revises the procedures for receiving claims and for hearings on claims, as specified, and the definitions of terms related to the procedure and hearings, defines additional terms, abolishes the State Mandates Claim Fund, and deletes the option of paying claims from this fund.

**Status:** **Chapter 890, Statutes of 2004**

**AB 3105 (Campbell) Local government finance.**

Would have implemented the changes proposed in ACA 30 (Steinberg) by restructuring the flow of property tax, local sales tax, and vehicle license fee revenues to local governments.

**Status:** *Referred to Assembly Committees on Revenue and Taxation and Local Government. In Revenue and Taxation Committee: Set, first hearing. Hearing canceled at the request of author.*

**ACA 5 (Cogdill) Local government finance: property tax revenue allocation: local agency relief.** Would have placed in the State Constitution a cap on the property tax shift from cities, counties, and special districts to ERAF in each county. **Status:** *In Assembly Committee on Appropriations: Set, second hearing. Held under submission.*

**ACA 6 (Campbell) Expenditure limit.**

Would have repealed existing constitutional limitations on state and local government spending, and instead, established a new, more restrictive constitutional limit on the annual expenditures of only state government. Specified how revenues received in excess of the spending limit are disposed, and required that annual state budgets not exceed available revenues. **Status:** *Referred to Assembly Committees on Education and Local Government. In Committee on Education: Set, first hearing. Hearing canceled at the request of author.*

**ACA 9 (Levine) Local governmental taxation: special taxes: voter approval.**

Would have amended the California Constitution to lower the voter approval requirement from a two-thirds vote to a simple majority of local voters for special taxes to fund local capital infrastructure construction projects. **Status:** *In Assembly: passed on file. To inactive file - Rule 78.*

**ACA 10 (Harman) Local government: property-related fees**

Would have amended the California Constitution to exempt fees and charges for storm water and urban runoff management from voter approval requirements for the imposition or increase of property-related fees. **Status:** *In Assembly: To inactive file on motion of Assembly Member Harman.*

**ACA 11 (Levine) Local government: general obligation bonds: infrastructure projects**

Would have amended the California Constitution to lower the voting threshold for local infrastructure bond propositions from two-thirds to 55%. **Status:** *In Assembly: passed on file. To inactive file - Rule 78.*

**ACA 14 (Steinberg) Local government: transactions and use taxes: local development.**

Would have amended the California Constitution to lower the voter approval requirement for a transaction and use tax used exclusively to fund local infrastructure projects from two-thirds to 55%. **Status:** *In Assembly: To inactive file on motion of Assembly Member Steinberg.*

**ACA 17 (Daucher) Taxation: local sales and use tax revenues and ad valorem property tax revenues: allocation.** Would have amended the California Constitution to require cities and counties to exchange a portion of locally levied sales and use tax revenue for an equivalent amount of property tax revenue from the ERAF in each county. **Status:** *In Assembly Committee on Local Government: Set, second hearing. Hearing canceled at the request of author.*

**ACA 26 (Lieber) Legislature: bills: vote: federal funds**

Would have required any bill that would result in a reduction in the amount of federal funds allocated to the state, or to any city, county, district, or other political subdivision of the state, to be passed by a vote of two-thirds of the membership of each house. **Status:** *In Assembly Committee on Local Government: Set, second hearing. Hearing canceled at the request of author.*

**ACA 30 (Steinberg) Local government finance: Local Government Property Tax**

**Protection Act of 2004.** Would have amended the California Constitution to enact the Local Government Property Tax Protection Act of 2004 to protect the local government revenue shifts of property taxes, local sales taxes, and vehicle license fees implemented in AB 3105 (Campbell).

**Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request at author.*

**SB 61 (Committee on Local Government) First Validating Act of 2003.**

Enacts the First Validating Act of 2003, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Status:** Chapter 9, Statutes of 2003

**SB 62 (Committee on Local Government) Second Validating Act of 2003.**

Enacts the Second Validating Act of 2003, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Status:** Chapter 294, Statutes of 2003

**SB 63 (Committee on Local Government) Third Validating Act of 2003.**

Enacts the Third Validating Act of 2003, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Status:** Chapter 295, Statutes of 2003

**SB 83 (Soto) Local agency assessments.**

Would have authorized, in addition to taxes, fees and charges, that an assessment can be adjusted (i.e., increased) so long as the adjustment was developed in a schedule adopted prior to Proposition 218 without going back for voter approval.

**Status:** Vetoed

**SB 93 (Alpert) Counties: real property purchases.**

Revises procedures for purchasing and leasing county property.

**Status:** Chapter 732, Statutes of 2003

**SB 348 (Poochigian) People v. Scott Peterson. \***

Would have authorized the City of Modesto to be reimbursed for 90% of its costs associated with the homicide trial of People v. Scott Peterson. **Status:** *From Assembly inactive file to third reading. Amended; and re-referred to Assembly Committees on Local Government and Appropriations pursuant to Assembly Rule 77.2.*

**SB 407 (Torlakson) Local government financing: enterprise special districts: property tax revenue allocations.** Would have required enterprise special districts, except hospital and transit districts, that are currently exempt from contributing to ERAF in each county to shift a specified portion of their property tax revenues into ERAF, and repay counties for costs associated with specified statewide elections from the ERAF in each county. **Status:** *In Assembly: Read third time. Refused passage. Motion to reconsider on next legislative day made by Assembly Member Mullin. Reconsideration granted. Placed on inactive file by Assembly Member Chan.*

**SB 410 (Aanestad) Educational Revenue Augmentation Fund: counties.** Would have clarified that the reduction in property tax revenues shifted to ERAF in counties with a population of less than 350,000 for fire protection services in the 1993-94 fiscal year is permanent. This change would reverse the audit finding by the State Controller's Office in 2002 that the property tax reduction was authorized only for one year, and that Butte County had improperly carried forward this reduction to subsequent years. **Status:** *In Assembly Committee on Appropriations: set, second hearing. Held in committee and under submission.*

**SB 446 (Machado) Community release: local law enforcement costs: reimbursement.** Would have authorized a city or county to claim state reimbursement for local law enforcement costs associated with community placement of a sexually violent predator. **Status:** **Vetoed**

**SB 787 (Battin) Local agency investments.** Authorizes local agencies to invest temporarily idle funds in asset-backed commercial paper as an eligible security in addition to unsecured commercial paper. **Status:** **Chapter 197, Statutes of 2003**

**SB 1091 (Committee on Local Government) First Validating Act of 2004.** Enacts the First Validating Act of 2004, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. **Status:** **Chapter 29, Statutes of 2004**

**SB 1092 (Committee on Local Government) Second Validating Act of 2004.** Enacts the Second Validating Act of 2004, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. **Status:** **Chapter 284, Statutes of 2004**

**SB 1093 (Committee on Local Government) Third Validating Act of 2004.**

Enacts the Third Validating Act of 2004, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Status:** Chapter 285, Statutes of 2004

**SB 1212 (Ducheny) Local government finance.**

Would have exchanged vehicle license fee backfill revenue for an equal amount of local property tax revenue that would otherwise have been allocated to the ERAF in each county, beginning in the 2005-06 fiscal year. **Status:** *In Assembly Committee on Appropriations: Set, second hearing. Held in committee and under submission.*

**SB 1497 (Poochigian) Property tax: revenue allocations.**

Would have forgiven Tuolumne County for underallocating property tax to ERAF between 1994 and 2000, by limiting to one percent the liability for property tax misallocation by counties with populations under 200,000, which were audited prior to July 1, 2001, if full repayment of the misallocation would result in a reduction in property tax allocation equal to 65% or more of the jurisdiction's 2000-01 allocation. **Status:** *In Assembly Committee on Appropriations: Set, second hearing. Held in committee and under submission.*

**SB 1774 (Johnson) Local government finance.**

Would have implemented the changes proposed in SCA 22 (Johnson) by restructuring the flow of property tax, local sales tax, and vehicle license fee revenues to local governments.

**Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**SB 1791 (Poochigian) Controller: financial reports.**

Would have required the State Controller to annually collect data on the total assessed valuation of all taxable property in each school district, compiled the information on a county basis, and annually posted the collected data on the Controller's Web site.

**Status:** Vetoed

**SB 1808 (Committee on Local Government) Booking fees.**

Would have reduced the statutory continuous appropriation for state reimbursement of booking fees levied by counties and paid by cities and qualified special districts from \$50 million annually to \$38.2 million annually, based reimbursement for booking fees on 2002-03 costs to cities and special districts rather than 1997-98 costs, and sunsetted the booking fee reimbursement program on January 1, 2007. **Status:** *In Assembly Committee on Appropriations: hearing postponed by committee.*

**SB 1832 (Cedillo) Property taxation: maps: tax-defaulted property sales.**

Amends existing law regarding the conduct of public sales, by authorizing counties to use the Internet to conduct public auctions of tax-defaulted property, and permits a county board of supervisors to act via a resolution or board order for purposes of tentative map approval.



**Status:** Chapter 194, Statutes of 2004

**SB 1909 (Machado) Property tax revenue shifts.**

Would have established an 11% floor for property tax allocations to county governments by transferring property tax revenues from ERAF in each county that received less than this minimum in FY 2001-02.

**Status:** Vetoed

## **LOCAL POWERS AND DUTIES**

**AB 222 (Corbett) California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2004.** Would have established the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2004, authorizing the issuance of \$4.47 billion in bonds for the purpose of financing library construction and renovation, as well as specified youth library services, subject to voter approval. **Status:** *From Assembly Committee on Appropriations: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 241 (Pacheco) Law enforcement: real estate fraud.**

Increases the membership of the Real Estate Fraud Prosecution Trust Fund Committee to include a fourth member from the law enforcement community.

**Status:** Chapter 46, Statutes of 2003

**AB 281 (Bermudez) Local Agency Public Construction Act: bidder prequalification: notice.** Would have made changes to the bidder prequalification form that is required under the Local Agency Public Construction Act: bidder prequalification. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 312 (Spitzer) Grand juries: final reports.**

Would have made three significant changes to grand jury proceedings. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 326 (Dutton) Dog license: issuers.**

Authorizes a county board of supervisors or animal control department to allow veterinarians to issue dog licenses, in addition to either or both the county clerk's office and the animal control department.

**Status:** Chapter 33, Statutes of 2003

**AB 504 (Yee) Parks and recreation: park and open-space districts: penalties.**

Increases the fines for misdemeanors and infractions resulting from violations of park and open space districts' ordinances, rules and regulations.

**Status:** Chapter 106, Statutes of 2003

**AB 578 (Leno) County recorders: electronic recording.**  
Creates the Electronic Recording Delivery System Act of 2004.  
**Status: Chapter 621, Statutes of 2004**

**AB 589 (Ridley-Thomas) Metropolitan water district: employees.**  
Would have restricted the level of increase in the salary of any employee of the district in the unclassified service so that it does not exceed the highest level of increase, from the preceding fiscal year, in the salary of any employee in the classified service that is determined through collective bargaining. The new requirements for the board of the district established by the bill would have imposed a state-mandated local program. **Status: From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.**

**AB 650 (Plescia) Local government.**  
Allows the San Diego County Water Authority to impose liens on those properties that obstruct its rights-of-way, and reduces the membership of the North Bakersfield Recreation and Park District's board of directors from seven to five members.  
**Status: Chapter 863, Statutes of 2003**

**AB 920 (Nakano) Real estate disclosures: nuisance: local government.**  
Clarifies various disclosures required to be made by sellers of residential property, and would amend disclosure forms to reflect changes in law and practice in the residential real estate industry.  
**Status: Chapter 66, Statutes of 2004**

**AB 1172 (Berg) Joint powers agreement: public agencies.**  
Declares a federally recognized Indian tribe as a public agency.  
**Status: Chapter 39, Statutes of 2003**

**AB 1188 (Cohn) Park and open-space districts.**  
Would have clarified park and open space district laws relating to land conveyances under threat of condemnation, and police officers' powers. **Status: From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.**

**AB 1228 (Dutton) Zoning ordinances: radio antennas.**  
Requires cities and counties to make a reasonable effort to accommodate amateur radio antennas; and declares that it is the intent of the Legislature in enacting this bill to codify in state law with specified federal regulations relating to amateur radio station facilities.  
**Status: Chapter 50, Statutes of 2003**

**AB 1267 (Runner) County design-build contracts.**  
Would have authorized the County of San Bernardino to use the design-build project delivery method for specified projects until January 1, 2006. **Status: From Assembly Committee on**

*Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1695 (Ridley-Thomas) Metropolitan water district: civil service.**

Would have required the board of a metropolitan water district to prescribe a system of civil service that, with certain exceptions, would have included every officer and employee of the district. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1786 (Cogdill) Public officers.**

Creates an exception to the county officer leave of absence law for Calaveras County.

**Status:** Chapter 31, Statutes of 2004

**AB 1904 (Maddox) County recorders: electronic recording.**

Would have prohibited a requester and addressee for delivery of an electronically recorded document or instrument from charging any additional fees to the consumer for the electronic recordation other than those fees imposed by the county recorder's office for an electronic recordation. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 1929 (Samuelian) Firefighters: employment by cities and counties.**

Authorizes recently displaced state and local government permanent career firefighters to be placed on a hiring list administered by the California Firefighter Joint Apprenticeship Program, and authorizes local governments to grant special hiring consideration to recently displaced permanent career fire service personnel.

**Status:** Chapter 126, Statutes of 2004

**AB 1936 (Berg) Local government organization: city-county consolidation.**

Would have authorized Crescent City and Del Norte County to form the City-County of Crescent Del Norte as a consolidated charter city and county, upon approval of the electorate.

**Status:** *In Senate Committee on Appropriations: Set, first hearing. Held under submission.*

**AB 1943 (Leslie) Recorded documents.**

Would have authorized the Placer County Recorder to accept, in lieu of a written paper document, a digitized image of a recordable instrument, if specified conditions are met

**Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 2031 (Cogdill) Search and rescue.**

Requires that, if a county board of supervisors authorizes a sheriff to do search and rescue, then the search and rescue activities must be consistent with the guidelines and operating plans contained in the Model Operating Search and Rescue Plan developed by the Office of Emergency Services.

**Status:** Chapter 326, Statutes of 2004

**AB 2039 (La Suer) Airports: San Diego County Regional Airport Authority.**

Would have required that the three public members of the executive committee of the San Diego County Regional Airport Authority be elected at large from the county, beginning with the 2006 statewide general election, and that they receive a salary commensurate with that of members of the state legislature. **Status:** *Referred to Assembly Committees on Local Government and Transportation.*

**AB 2155 (Vargas) San Diego County Regional Airport Authority.**  
Clarifies policing and enforcement authority of the San Diego Airport Authority.  
**Status:** Chapter 677, Statutes of 2004

**AB 2256 (Plescia) Joint exercise of powers agreements.**  
Would have made a nonsubstantive technical change to definition of "public agency" for purposes of provisions authorizing public agencies to enter into joint exercise of powers agreements. **Status:** *Referred to Assembly Committee on Local Government.*

**AB 2284 (Plescia) Airports: San Diego County Regional Airport Authority.**  
Would have deleted the date by which the San Diego Association of Governments and the port are required to transfer and assign all contracts related to the location and development of an airport in the County of San Diego to the authority. **Status:** *Referred to Committees on Transportation and Local Government.*

**AB 2290 (Chavez) Local agency fees: state agencies: solid waste collection services**  
Would have authorized a solid waste enterprise to deduct from the sum of local franchise fees those fees charged to pay costs of preparing, adopting, and implementing a countywide integrated waste management plan and other similar fees imposed on the solid waste enterprise, up to the total fee amount attributable to the services provided to the state agency, if both of the following occur: a) The local agency does not have the legal authority to directly impose the fees on the state agency. b) The solid waste enterprise has informed the state agency of the amount of the local fees, but the state agency has not paid the fees to the solid waste enterprise. **Status:** *In Senate Committee on Environment Quality: Set first hearing. Failed passage. Reconsideration granted.*

**AB 2318 (Hancock) Local agency auditors.**  
Prohibits city auditors, upon receipt of a written request, from releasing to the public specific papers and correspondence that they have received from persons providing assistance to the auditor.  
**Status:** Chapter 637, Statutes of 2004

**AB 2337 (Corbett) Fire suppression assessments.**  
Defines, for purposes of fire suppression assessments, "fire suppression" as fire fighting and prevention, including, but not limited to, vegetation removal or management undertaken, in whole or in part, for the reduction of a fire hazard.  
**Status:** Chapter 94, Statutes of 2004

**AB 2437 (Pacheco) Cities: records.**

Would have allowed cities to make the preservation of specified records permissive, and to allow the destruction of other specified documents. **Status:** *In Assembly Committee on Local Government: Set, second hearing. Hearing canceled at the request of author.*

**AB 2438 (Leslie) County design-build contracts.**

Would have authorized Placer County to use the design-build project delivery method for the construction of a single project, using the same procedures that apply to seven other authorized counties. **Status:** *In Assembly Committee on Local Government: Set, final hearing. Hearing canceled at the request of author.*

**AB 2473 (Wolk) Energy systems: local regulations.**

Requires cities and counties to permit the installation of solar energy systems by right if the system meets specified requirements, and redefines the term "significantly" in regard to restrictions on solar systems that raise costs or decrease efficiency.

**Status:** Chapter 789, Statutes of 2004

**AB 2565 (Parra) Economic development.**

Requires that the strategic plan originally prepared by the California Defense Retention and Conversion Council as it existed in 1998 be updated.

**Status:** Chapter 763, Statutes of 2004

**AB 2565 (Parra) Economic development: military bases. \***

Would have transferred the existing California Defense Retention and Conversion Council (CDRCC) to the Business, Transportation and Housing Agency (BT&H) and renamed and establishes the Office of Military (OMS) support within that same agency. Required an updated strategic plan for state and local military base retention efforts that would be specific to the 2005 federal base realignment and closure (BRAC) process to be submitted to the Governor and the Legislature by August 31, 2004.

**Status:** *In Senate: Action rescinded whereby the bill was read third time, passed, and to Assembly. Read third time, amended, and returned to third reading.*

**AB 2591 (Leno) Charter-party carriers: limousines.**

Strengthens the enforcement authority of local governments in the regulation of charter-party carriers acting as limousines.

**Status:** Chapter 603, Statutes of 2004

**AB 2746 (Strickland) Design-build contracts: cities.**

Would have authorized the City of Fillmore and the City of Santa Paula to implement the alternative procedure for design-build contracts, as specified, for building construction projects within city boundaries. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 2784 (Pavley) Ventura County Transportation Commission: membership.**  
Redefines the composition of the governing board of the Ventura County Transportation Commission.

**Status:** Chapter 432, Statutes of 2004

**AB 2908 (Wolk) Metropolitan Transportation Commission.**

Would have increased the commission's membership to 21, and provide for three members each from the Counties of Alameda and Santa Clara. **Status:** *Referred to Assembly Committees on Transportation and Local Government.*

**AB 3003 (Kehoe) Sports facilities leases: local government.**

Would have required mitigation from one city to another when a professional sports team moves within California. **Status:** *From Assembly Committee on Arts, Entertainment, Sports, Tourism, and Internet Media without further action pursuant to Joint Rule 62(a).*

**AB 3066 (Kehoe) Fire protection: staffing.**

Would have required every public entity that has undertaken to provide fire protection service to provide sufficient personnel to staff all fire engines operated by the public entity.

**Status:** *Re-referred to Assembly Committee on Local Government.*

**AB 3067 (Kehoe) Fire protection: San Diego County.**

Would have required all local fire agencies in the County of San Diego to jointly develop and implement a plan for the coordination of services to provide the most effective fire protection services for the county. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 3068 (Kehoe) Fire protection: aerial equipment.**

Would have required every county that includes an urban metropolitan area to have year-round aerial firefighting equipment. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**SB 66 (Committee on Local Government) Local Government Omnibus Act of 2003.**

Makes several minor, non-controversial changes to the laws affecting local agencies' powers and duties.

**Status:** Chapter 296, Statutes of 2003

**SB 303 (Torlakson) Local agency facilities.**

Clarifies that local agencies may choose an alternative method of compensating developers for public works within community facilities districts.

**Status:** Chapter 55, Statutes of 2003

**SB 382 (Oller) Community care facilities: notice.**

Makes technical changes to specify that the planning agency of a city receive notice prior to approval of any application for a new residential care facility located in the city.

**Status:** Chapter 120, Statutes of 2004

**SB 392 (Committee on Local Government) Local agency assessments.**

Conforms the notification and approval requirements for levying benefit assessments under the Improvement Act of 1911 and the Municipal Improvement Act of 1913 to the requirements of Proposition 218.

**Status: Chapter 194, Statutes of 2003**

**SB 570 (Chesbro) Local government.**

Adds Solano County to the existing authority granted to 13 other counties to employ peace officers who are working as custodial officers, and makes changes to county officer duties, and programs.

**Status: Chapter 710, Statutes of 2003**

**SB 849 (Torlakson) Metropolitan Transportation Commission and Association of Bay Area Governments.** Requires that the Bay Area Air Quality Management District be added to the joint policy committee created by the Metropolitan Transportation Commission and the Association of Bay Area Governments, and requires the joint policy committee to oversee, coordinate, analyze, and report on specified matters pertaining to agency consolidation and major planning documents.

**Status: Chapter 791, Statutes of 2004**

**SB 1068 (Committee on Local Government) Controller: annual report.**

Sets publication deadlines for specified local agency reports that are compiled by the State Controller.

**Status: Chapter 126, Statutes of 2003**

**SB 1069 (Chesbro) North Coast Railroad Authority: board of directors.**

Creates an exception from the common law doctrine that prohibits an elected local government official from simultaneously holding two incompatible offices for those local government officers that are eligible to be appointed to the North Coast Railroad Authority's board of directors.

**Status: Chapter 11, Statutes of 2003**

**SB 1161 (Alpert) California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006.** Establishes the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006, authorizing the issuance of \$600 million in bonds for the purpose of financing library construction and renovation, subject to voter approval.

**Status: Chapter 698, Statutes of 2004**

**SB 1165 (Committee on Local Government) Local Government Omnibus Act of 2004.**

Makes several minor, non-controversial changes to the laws affecting local agencies' powers and duties.

**Status: Chapter 118, Statutes of 2004**

**SB 1233 (Committee on Transportation) Transportation.**

Makes various non-controversial changes to the Civil Code, Public Utilities Code, Streets & Highways Code, and Vehicle Code.

**Status: Chapter 615, Statutes of 2004**

**SB 1514 (Poochigian) Enforcement of delinquent assessments.**

Requires water districts to provide notice to all interested parties before taking property as a means of enforcing delinquent assessments or other levies.

**Status: Chapter 97, Statutes of 2004**

**SB 1874 (Alpert) San Diego County Regional Airport Authority**

Increases the term that the representative from the east area cities serves from two years to four years.

**Status: Chapter 589, Statutes of 2004**

**SB 1880 (Committee on Revenue and Taxation) Property taxation: county assessors: exemptions: assessments: technical code maintenance.** Makes minor and technical changes and corrections intended to improve administration of the property tax law.

**Status: Chapter 200, Statutes of 2004**

## **OPEN MEETINGS & CONFLICT OF INTEREST**

**AB 171 (Cohn) Public records and meetings: health-related entities.**

Provides exemptions from the Public Records Act and the Ralph M. Brown Open Meetings Act for a governing board of a Local Initiative Health Plan to allow the board to meet in closed session to consider and take action on matters pertaining to health plan trade secrets, contracts and contract negotiations by the health plan with health care service providers.

**Status: Chapter 424, Statutes of 2003**

**AB 1208 (Cogdill) Conflicts of interest.**

Creates a new exemption to the definition of "remote interest" for a board member of a landowner voter district, as defined.

**Status: Chapter 822, Statutes of 2003**

**AB 1236 (Horton) Open meetings: closed sessions: security information.**

Would have included, as additional matters that may be considered in closed sessions under these provisions, measures proposed or taken, including the deployment of law enforcement personnel, to protect against these threats. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1636 (Kehoe) Open meetings: closed sessions: assessment. \***



Would have provided that, notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions to conduct an assessment of its performance in governance, practices and procedures, and ethics, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency. The bill also would have provided that a closed session held for this purpose may include a person who will conduct an assessment or provide training related to an assessment. **Status:** *In Assembly Committee on Local Government: amend, and be re-referred to the Committee on Education.*

**AB 1827 (Cohn)      Closed sessions: state audits.**

Creates a new exception to both state and local government open meeting laws that would allow state and local government bodies to meet in closed session for the purpose of discussing a confidential final draft audit report from the Bureau of State Audits.

**Status:** Chapter 576, Statutes of 2004

**AB 2782 (Benoit)      Public agencies: joint powers agencies: meetings.**

Authorizes any member of the legislative body of a joint powers agency, who is also a member of the legislative body of the local agencies comprising JPA, to disclose information obtained in a closed session of JPA to other members of the legislative body of the local agency in a closed session of that body.

**Status:** Chapter 784, Statutes of 2004

**AB 3007 (Plescia)      Ralph M. Brown Act: notice of meetings**

Would have deleted from the subjects that may be discussed in closed session real property negotiations, discussion with legal counsel about anticipated litigation, and liability claims, and would make related changes. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**SB 155 (Scott)      Public officers: conflict of interest.**

Creates the fourteenth remote interest exemption to the conflict of interest rule.

**Status:** Chapter 701, Statutes of 2003

**SB 1086 (Sher)      Conflicts of interest.**

Expands a remote interest exception to conflict of interest laws to include Stanford University.

**Status:** Chapter 16, Statutes of 2004

**SB 1351 (Soto)      Political Reform Act of 1974: local government agency officials: conflicts of interest.**

Would have prohibited a former elected official of a city or county agency from lobbying that agency for a period of one year after leaving office, and expanded the definition of immediate family for purposes of conflicts of interest with respect to public officials. **Status:** *In Assembly Committee on Appropriations: Set, second hearing. Held in committee and under submission.*

**SB 1771 (Scott) School district governing boards: meetings.**

Allows a school board to meet outside its district to interview members of the public residing in another district when considering the potential employment of an applicant for superintendent of the district.

**Status:** Chapter 257, Statutes of 2004

## **SPECIAL DISTRICTS**

**AB 10 (Firebaugh) Los Angeles County Health Authority.**

Would have authorized the County of Los Angeles to establish the Los Angeles County Health Authority that would exercise prescribed powers with respect to the provision of health services in the county. The bill would also specify the membership of the authority's board of directors. **Status:** From Assembly Committee on Health: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.

**AB 148 (Dymally) Municipal water districts.**

Would have authorized a district to construct necessary works to achieve groundwater replenishment. **Status:** From Assembly Committee on Rules: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.

**AB 157 (Salinas) Pajaro River Watershed Flood Prevention Authority.**

Would have allowed for the appointment of alternate members to the governing board of the Pajaro River Watershed Flood Prevention Authority. **Status:** From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.

**AB 474 (Salinas) Districts: record retention.**

Provides special districts with a structure to create their own records management program. **Status:** Chapter 362, Statutes of 2004

**AB 536 (Calderon) Water replenishment districts.**

Would have required a water replenishment district, before building, leasing, purchasing, or contracting for a capital improvement project, to determine the feasibility of such a project by ordering or preparing and reviewing a written cost-benefit analysis based upon reasonable assumptions. **Status:** Referred to Assembly Committees on Water, Parks and Wildlife and Local Government: From Committee on Water, Parks and Wildlife: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.

**AB 686 (Houston) Sacramento County sanitation districts: governing body.**

Would have revised the composition of the above board of directors on January 1, 2004, and, notwithstanding the above provisions or any other provision of law, would provide for the composition of the Board of Directors of the Sacramento Regional County Sanitation District and its voting powers. It also would have revised the composition of this regional board of directors on January 1, 2005, or on the date the board of directors notifies the Legislature that

construction of a pipeline facility in the unincorporated portion of Yolo County is completed, whichever is later, and would make conforming changes. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 706 (Maldonado) Community services districts.**

Authorizes the Los Osos Community Services District to lend money to certain property owners for a specified purpose, and secure the loan by means of a lien, as specified.

**Status:** Chapter 111, Statutes of 2003

**AB 710 (Correa) Orange County Transportation Authority.**

Expands the membership of the Orange County Transportation Authority from 12 members to 18 members, and revises the composition and representation of the board of the authority.

**Status:** Chapter 469, Statutes of 2004

**AB 773 (Strickland) Ventura County Transportation Commission.**

Would have reconstituted the membership of the Ventura County Transportation Commission. The commission would have been comprised of up to 18 members, consisting of the five members of the Board of Supervisors, one member of each of the 10 incorporated cities in the county, two citizen members (permissive) and one nonvoting member.

**Status:** Vetoed

**AB 839 (Salinas) Local government records; recordings; public transit systems.**

Requires transit agencies, when installing new security monitoring systems, to install equipment capable of storing at least one year of recorded images unless specified conditions apply.

**Status:** Chapter 564, Statutes of 2003

**AB 867 (Nakano) Controller: penalties.**

Authorizes the State Controller to waive penalties for late filing of specified financial reports by county auditors and financial officers of local agencies upon a satisfactory showing of good cause.

**Status:** Chapter 86, Statutes of 2003

**AB 878 (Pavley) Harbor districts.**

Makes financial and administrative changes to harbor district laws.

**Status:** Chapter 389, Statutes of 2003

**AB 1117 (Cogdill) Mountain Ranch Subdivision Community Services District. \***

Would have authorized the Mountain Ranch Subdivision Community Services District to enforce the covenants, conditions, and restrictions within its boundaries. *In Senate Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 1125 (Houston) Alameda County Flood Control and Water Conservation District.**

Clarifies and streamlines the relationship between Zone 7 and the Alameda County Flood Control and Water Conservation District.

**Status:** Chapter 284, Statute of 2003

**AB 1188 (Cohn) Park and open-space districts.**

Would have clarified park and open space district laws relating to land conveyances under threat of condemnation, and police officers' powers. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1199 (Berg) Trinity Public Utility District: health care district.**

Allows the Trinity Public Utility District to exercise the powers of a health care district until January 1, 2008.

**Status:** Chapter 930, Statutes of 2004

**AB 1385 (Haynes) County water authorities.**

Would have required significant actions taken by the San Diego County Water Authority to be passed by both a weighted vote and a majority vote. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1425 (Pacheco) Water service: Paradise Ranch Mobile Home Parks.**

Would have extended the boundaries of the Newhall County Water District and the Castaic Lake Water Agency to include the Paradise Ranch Mobile Home Park. **Status:** *From Assembly Committee on Local Government: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1652 (Nakano) Los Angeles Metropolitan Transportation Authority.**

Would have expanded the number of members of the Los Angeles Metropolitan Transportation Authority governing board from 14 to 16 by increasing the number of appointees from the cities in Los Angeles County. **Status:** *From Assembly Committee on Appropriations: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10 (c) of the Constitution.*

**AB 1725 (Committee on Agriculture) Table Grape Pest and Disease Control District Law.\***

Would have created the Table Grape Pest and Disease Control District Law. **Status:** *In Senate Committee on Agriculture and Water Resources. From committee chair with author's amendments.*

**AB 2041 (Lowenthal) Ports: congestion.**

Would have established a Port Management District to alleviate congestion in the Port of Los Angeles and the Port of Long Beach by, among other things, charging a fee for commercial traffic moving in and out of the Ports during business hours. **Status:** *In Assembly Committee on Appropriations: Set, first hearing. Held under submission.*

**AB 2067 (Harman) Local government reorganization: special district consolidation.**

Specifies procedures for the consolidation of two or more special districts not formed pursuant to the same principal act.

**Status:** Chapter 471, Statutes of 2004

**AB 2243 (Vargas) County water authorities: board of directors.**

Authorizes member agencies of the San Diego County Water Authority to appoint members of their governing body as their representative on the board.

**Status:** Chapter 60, Statutes of 2004

**AB 2279 (Dymally) Irrigation districts.**

Would have deleted the landownership requirement pertaining to irrigation districts if certain thresholds were met. **Status:** *In Senate Committee on Local Government: Set first hearing.*

*Failed passage. Reconsideration granted.*

**AB 2630 (Hancock) Alameda County Hospital Authority.**

Specifies that the Alameda County Hospital Authority is required to comply with statutory law that requires all contracts of employment between an employee and a local agency employer to include a provision that establishes a cap on the cash settlement an employee may receive if the employment contract is terminated.

**Status:** Chapter 58, Statutes of 2004

**AB 2741 (Salinas) Metropolitan Transportation Commission.**

Would have expanded the membership of the Metropolitan Transportation Commission governing board from 19 to 21 members. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**AB 2755 (Strickland) Ventura County Watershed Protection District: nuisance abatement.**

Grants the Ventura County Watershed Protection District the ability to establish procedures for nuisance abatement identical to those granted to counties.

**Status:** Chapter 269, Statutes of 2004

**AB 2817 (Salinas) Transportation: benefit assessment districts.**

Makes technical changes to the Santa Clara Valley Transportation Authority's benefit assessment district statutes to eliminate redundancies, remove conflicting and confusing provisions, and makes various changes to ensure consistency with Proposition 218.

**Status:** Chapter 645, Statutes of 2004

**AB 3011 (Laird) Santa Clara Valley Transportation Authority: vehicle fee for traffic congestion management.**

Would have authorized the Santa Clara Valley Transportation Authority to impose a fee of up to \$4 on motor vehicles registered in Santa Clara County for traffic congestion management and transportation improvements. **Status:** *In Assembly Committee on Appropriations: Set, second hearing. Held under submission.*

**SB 10 (Poochigian) Irrigation districts: assessment sales.**

Repeals the authority for irrigation districts to assign a certificate of sale to a third party in order to recover delinquent assessments, penalties, and costs.

**Status:** Chapter 120, Statutes of 2003

**SB 149 (McPherson) Monterey Peninsula Water Management District.**

Would have changed the powers of the Monterey Peninsula Water Management District board.

**Status:** *In Assembly Committee on Appropriations: Set, second hearing. Held in committee and under submission.*

**SB 341 (Committee on Local Government) Public Cemetery District Law.**

Revises and modernizes the state laws governing public cemetery districts.

**Status:** Chapter 57, Statutes of 2003

**SB 487 (Torlakson) District annexations.**

Requires a special district to make written findings supported by substantial evidence when it requests that a LAFCO terminate a proceeding that includes annexation of territory.

**Status:** Chapter 123, Statutes of 2003

**SB 537 (Romero) Solid waste: management: Los Angeles County sanitation districts.**

Would have required each sanitation district in the County of Los Angeles to establish a restricted reserve fund for air pollution mitigation and to annually place at least \$15 million dollars in the air pollution mitigation fund and prohibited the siting of a new materials recovery facility designed to receive greater than 4,000 tons per day within Los Angeles County prior to 2015. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Held in committee without recommendation.*

**SB 633 (Ashburn) Table Grape Pest and Disease Control District Law.**

Creates the Table Grape Pest and Disease Control District Law.

**Status:** Chapter 244, Statutes of 2003

**SB 833 (Machado) Eastern Water Alliance Joint Powers Agency.**

Authorizes the Eastern Water Alliance Joint Powers Agency to grant funds to a member public agency for purposes of assisting that member public agency in acquiring water under specified conditions and to be granted funds by the San Joaquin County Board of Supervisors; authorizes the JPA to impose an annual plan implementation charge on landowners within its boundaries, and makes other changes to relevant sections of the Water Code.

**Status:** Chapter 740, Statutes of 2003

**SB 906 (Escutia) Water districts. \***

Would have made administrative adjustments to contract procedures for the Water Replenishment District of Southern California. **Status:** *Read third time. Amended. Re-*

*referred to Assembly Committee on Public Employees, Retirement and Social Security pursuant to Assembly Rule 77.2. \**

**SB 938 (McPherson) Parking and business improvement areas.**

Would have authorized a resolution of intention allowing a 1989 Act Parking and Business Improvement District to levy annual assessments for a period not to exceed five years; changed the date on which a public hearing for a parking and business improvement area must take place to at least 45 days after adoption of the resolution of intention; and added to the list of information required in the notice to business owners for public meetings and hearings involving adoption of new or increased assessments. **Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*

**SB 999 (Machado) San Joaquin Valley Unified Air Pollution Control District.**

Would have changed the governance structure of the San Joaquin Valley Unified Air Pollution Control District. **Status:** *In Assembly Committee on Appropriations: Set, first hearing. Hearing canceled at the request of author.*

**SB 1136 (Chesbro) Lake County Flood Control and Water Conservation District.**

Authorizes the flood control district in Lake County to participate in the National Pollutant Discharge Elimination System stormwater management system.

**Status:** Chapter 108, Statutes of 2004

**SB 1310 (Johnson) Metropolitan Water District of Southern California: complaints.**

Extends the sunset on the Metropolitan Water District of Southern California's required annual report on complaints from January 1, 2005, to January 1, 2010.

**Status:** Chapter 155, Statutes of 2004

**SB 1404 (Soto) Multifamily improvement districts.**

Enacts the Multifamily Improvement District (MID) Law to provide until January 1, 2012, for the establishment of MIDs within a city or county to levy assessments on residential rental properties within the district for the purpose of financing certain improvements and promoting certain activities beneficial to those properties.

**Status:** Chapter 526, Statutes of 2004

**SB 1529 (McPherson) Monterey Peninsula Water Management District: dissolution.**

Would have deleted the provisions of law that established the Monterey Peninsula Water Management District. **Status:** *In Assembly Committee on Local Government: Set, second hearing. Failed passage in committee.*

**SB 1604 (Ashburn) Pest control: Pierce's disease.**

Makes various clarifications to the Table Grape Pest and Disease Control District Law.

**Status:** Chapter 400, Statutes of 2004

**SB 1663 (Machado) Sanitation districts: Sacramento County and West Sacramento.**

Changes the membership of the governing body of the Sacramento County Sanitation District No. 1 and the governing body of the Sacramento Regional County Sanitation District.

**Status:** Chapter 199, Statutes of 2004

**SB 1677 (Knight) Los Angeles County Flood Control District: storm drains.**

Authorizes the Los Angeles County Board of Supervisors to delegate authority for accepting storm drain transfers to the Los Angeles County Flood Control District.

**Status:** Chapter 244, Statutes of 2004

**SB 1770 (Committee on Local Government) Special districts: securitized limited**

**obligation notes.** Authorizes certain special districts to issue securitized limited obligation notes (SLONs) after the adoption of a resolution by a four-fifths vote of all members of the legislative body of the special district.

**Status:** Chapter 114, Statutes of 2004

**SB 1773 (Soto) Los Angeles County Metropolitan Transportation Authority.**

Requires, that for FY 2004-05 and any subsequent FY, any claim filed against the Los Angeles County Metropolitan Transportation Authority seeking the exclusion of real property or the reduction of an assessment on any grounds must occur within two years after the original assessment payment is made.

**Status:** Chapter 590, Statutes of 2004

**SB 1885 (Sher) Regional park district: County of San Mateo.**

Would have permitted the formation of a regional open-space district in San Mateo County, to be initiated by resolution of the county board of supervisors after a noticed hearing, and specified contents of the resolution, including a requirement to call an election.

**Status:** *In Assembly Committee on Local Government: Set, first hearing. Hearing canceled at the request of author.*